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In re Application of	:	
Darling et al.	:	
Application No.: 09/744360	:	DECISION ON
PCT No.: PCT/US99/23307	:	
Int. Filing Date: 06 October 1999	:	PETITION UNDER
Priority Date: 06 October 1998	:	
Attorney's Docket No.: UOFW-1-16278	:	37 CFR 1.137(b)
For: Charged Particle Beam Detection System	:	

This is in response to the petition under 37 CFR § 1.137(b) filed on 22 January 2001.

### **BACKGROUND**

This international application was filed on 06 October 1999, and claimed an earliest priority date of 06 October 1998. A Demand electing the United States was not filed prior to the elapse of 19 months from the priority date. Accordingly, the twenty-month time period to pay the basic national fee in the United States expired as of midnight on 06 June 2000. This international application became abandoned with respect to the United States for failure to timely pay the basic national fee.

Applicant filed the instant petition and accompanying fees and papers on 22 January 2001.

### **DISCUSSION**

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed; (2) the petition fee as set forth in § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

Concerning requirement (1), the petition is accompanied by the required reply in the form of the basic national fee.

With respect to requirement (2), the petition is accompanied the petition fee.

Regarding requirement (3), the petition includes an appropriate statement.

As to requirement (4), no terminal disclaimer is required because the international filing date of this application was later than 08 June 1995.

### **DECISION**

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for continued processing. The date of this application under 35 U.S.C. 371 is **22 January 2001**.



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